

ESTTA Tracking number: **ESTTA59727**

Filing date: **12/29/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91125615
Party	Plaintiff UNIVERSITY OF SOUTHERN CALIFORNIA
Correspondence Address	SCOTT A. EDELMAN GIBSON DUNN & CRUTCHER, LLP 1801 CALIFORNIA STREET, SUITE 4200 DENVER, CO 80202  sedelman@gibsondunn.com; arobertsonbora@gibsondunn.com
Submission	Other Motions/Papers
Filer's Name	Michael S. Adler, Esq.
Filer's e-mail	madler@gibsondunn.com
Signature	/michael adler/
Date	12/29/2005
Attachments	supp doc stip.pdf ( 3 pages )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

University of Southern California,

Opposer,

v.

University of South Carolina

Applicant.

Opposition No. 125,615

Serial Nos. 75/358,031

Mark: SC (Stylized)

Filed: September 16, 1997

Published: January 11, 2000

**Supplemental Stipulation Regarding Documents**

Opposer University of Southern California ("California") and University of South Carolina ("Carolina") (collectively "Parties") agree and stipulate that for the purposes of this action, the following documents are authentic and may be admitted into evidence by means of a notice of reliance. The Parties further agree and stipulate that for the purposes of this action these documents shall be considered as business records and/or ancient documents, and the Parties waive any other hearsay objections to the documents *except* that the Parties retain the right to object to material in such documents that constitutes hearsay within hearsay to the extent that such objections would have been otherwise available.

**Documents Produced by Opposer:**

66. OPP 04130 - OPP 04589

In addition, the Parties have agreed that California may submit OPP 04591 – OPP 04639 into evidence by way of an affidavit from Amanda Robertson-Bora identifying the source of the documents and the date during which such documents were printed. If California provides such an affidavit, the documents shall be admitted except that the Parties retain the right to object to material in such documents that constitutes hearsay within hearsay to the extent that such objections would have been otherwise available.

**Additional Stipulation Regarding the Taking of the Testimony Deposition of Ken Taylor**

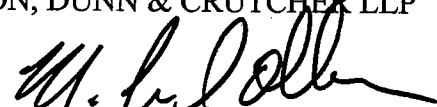
Whereas California has informed Carolina that it will take the testimony deposition of Ken Taylor, and whereas Mr. Taylor is located in North Carolina, and whereas the parties anticipate the taking of depositions in South Carolina during Carolina's testimony period, and whereas California has provided Carolina with all photographs taken by Mr. Taylor and provided to California which reflect his investigation of retail stores, and whereas California has agreed

that the scope of Mr. Taylor's direct testimony will be limited to that investigation, and whereas the Parties agree that it would be more efficient to depose Mr. Taylor in South Carolina, the Parties hereby agree and stipulate that California may take Mr. Taylor's deposition during Carolina's testimony period and that such deposition shall be treated as though taken during California's testimony period.

DATED: December 22, 2005

GIBSON, DUNN & CRUTCHER LLP

By:

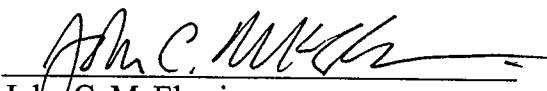


Michael S. Adler

Attorneys for University of Southern California

NELSON MULLINS RILEY & SCARBOROUGH, L.L.P.

By:



John C. McElwaine

Federal Bar No. 6710

Matthew D. Patterson

Federal Bar No. 7788

Liberty Building, Suite 500

151 Meeting Street

Post Office Box 1806 (29402)

Charleston, SC 29401

(843) 853-5200

Attorneys for University of South Carolina

10913301\_1.DOC